

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**168<sup>TH</sup> & DODGE, LP, a Nebraska Limited Partnership f/k/a BROWN INVESTMENT PARTNERSHIP, LTD., and RED DEVELOPMENT OF WEST DODGE, LLC, a Missouri Limited Liability Company,** ) **8:03CV171** ) **ORDER** )  
Plaintiffs, )  
vs. )  
**RAVE REVIEWS CINEMAS, LLC, a Texas Limited Liability Corporation,** )  
**Defendant.** )

This matter is before the court on the "Notice of Withdrawal" (#392) filed on behalf of Robert W. Shely. The court construes the notice as a motion for leave to withdraw as defense counsel. *See* NEGenR 1.3(f). The record shows the defendant continues to be represented by other counsel.

**IT THEREFORE IS ORDERED** that the Notice of Withdrawal (#392), construed as a motion for leave to withdraw, is granted. The Clerk shall terminate the appearance of Robert W. Shely as counsel for the defendant.

**DATED January 5, 2006.**

**BY THE COURT:**

**s/ F.A. Gossett  
United States Magistrate Judge**